

DISTRICT COURT OF GUAM
TERRITORY OF GUAM

FILED
DISTRICT COURT OF GUAM
JUN 13 2005
MARY L.M. MORAN
CLERK OF COURT

Alexander B. Kitano, pro se, :
Prison Reg. No. 80362-011 :
United States Penitentiary :
P. O. Box 1000 :
Lewisburg, PA 17837-1000, :
PETITIONER, :

Case No.

05-00019

(3)

Vs. :

Designated Judge, :
Superior Court of Guam, :
Case No. SP0236-04, :
RESPONDENT. :

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Petitioner Alexander B. Kitano, pro se, humbly requests this Court to grant his leave to file the attached Petition for Writ of Mandamus without prepayment of costs and to proceed in forma pauperis. A declaration in support is attached.

AK S-2705
Alexander B. Kitano, pro se,
Prison Reg. No. 80362-011
United States Penitentiary
P. O. Box 1000
Lewisburg, PA 17837-1000.

United States District Court

DISTRICT OF _____

Alexander B. Kitano,
Prison Reg. No. 80362-011

APPLICATION TO PROCEED IN FORMA PAUPERIS, SUPPORTING DOCUMENTATION AND ORDER

v.

Designated Judge,
Superior Court of Guam,
Case No. SP0236-04

CASE NUMBER:

I, Alexander B. Kitano, pro se,, declare that I am the (check appropriate box)

☐ petitioner/plaintiff☐ movant (filing 28 U.S.C. 2255 motion)☐ respondent/defendant

☒ Petition for Writ of Mandamus
other

in the above-entitled proceeding; that, in support of my request to proceed without being required to prepay fees, cost or give security therefor, I state that because of my poverty, I am unable to pay the costs of said proceeding or give security therefor; that I believe I am entitled to relief. The nature of my action, defense, or other proceeding or the issues I intend to present on appeal are briefly stated as follows:

In further support of this application, I answer the following questions.

1. Are you presently employed? Yes ☒ No ☐

a. If the answer is "yes," state the amount of your salary or wages per month, and give the name and address of your employer. (list both gross and net salary)

\$5.25 monthly (prison library/USP Lewisburg).

b. If the answer is "no," state the date of last employment and the amount of the salary and wages per month which you received.

N/A

2. Have you received within the past twelve months any money from any of the following sources?

a. Business, profession or other form of self-employment Yes ☐ No ☒

b. Rent payments, interest or dividends? Yes ☐ No ☒

c. Pensions, annuities or life insurance payments? Yes ☐ No ☒

d. Gifts or inheritances? Yes ☐ No ☒

e. Any other sources? Yes ☐ No ☒

If the answer to any of the above is "yes," describe each source of money and state the amount received from each during the past twelve months.

*See attached copy of Prison Account Sheet.

3. Do you own any cash, or do you have money in checking or savings accounts?

Yes ☐ No ☒ (Include any funds in prison accounts.)

If the answer is "yes," state the total value of the items owned.

N/A

4. Do you own or have any interest in any real estate, stocks, bonds, notes, automobiles or other valuable property (excluding ordinary household furnishings and clothing)?

Yes ☐ No ☒

If the answer is "yes," describe the property and state its approximate value.

N/A

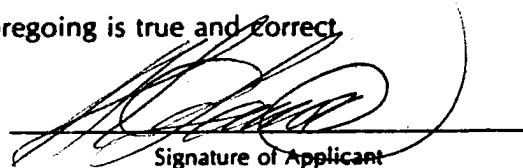
5. List the persons who are dependent upon you for support, state your relationship to those persons, and indicate how much you contribute toward their support.

N/A

I declare under penalty of perjury that the foregoing is true and correct.

Executed on

5/20/05
(Date)


Signature of Applicant

CERTIFICATE (Prisoner Accounts Only)

I certify that the applicant named herein has the sum of \$ 5.82
on account to his credit at the UNITED STATES PENITENTIARY, LEWISBURG PENNSYLVANIA
institution where he is confined. I further certify that the applicant likewise has the following securities to
his credit according to the records of said institution: -NONE-

I further certify that during the last six months the applicant's average balance was \$ 15.66


K. WEBER, INMATE ACCOUNTS

Authorized Officer of Institution

ORDER OF COURT

The application is hereby denied

The application is hereby granted. Let the applicant proceed without prepayment of cost or fees or the necessity of giving security therefor.

United States Judge

Date

United States Judge
or Magistrate

Date

A05-0095

Date: 05/20/2005
Time: 1:01:55 pm

Federal Bureau of Prisons
TRUFACS
Inmate Statement
Limited Official Use

Facility: LEW

Start Date: 10/01/2004
End Date: 09/30/2005
Inmate Reg#: 80362011
Account Status: All
Institution: All

General Information

Inmate Reg#: 80362011
Inmate Name: KITANO, ALEXANDER BLANCO
Current Site Name: Lewisburg USP
Housing Unit: UNIT 3
Living Quarters: I02-211L
Arrived From:
Transferred To:
Account Creation Date: 3/15/2002

Transaction Details

Alpha Code	Date Time	Reference#	Payment#	Receipt#	Transaction Type	Transaction Amount	Encumbrance Amount	Ending Balance
LEW	10/04/2004 09:07:44 AM	41V125			Payroll - IPP	\$32.95		\$318.96
LEW	10/05/2004 11:21:38 AM		48		Donation	(\$15.00)		\$303.96
LEW	10/12/2004 06:47:13 PM	85			Sales	(\$149.90)		\$154.06
LEW	10/12/2004 06:50:09 PM	86			Sales	(\$31.20)		\$122.86
LEW	10/13/2004 06:31:03 PM	ITS1013			ITS Withdrawal	(\$10.00)		\$112.86
LEW	10/18/2004 05:29:52 PM	41			Sales	(\$29.75)		\$83.11
LEW	10/18/2004 05:31:06 PM	42			Sales	(\$1.90)		\$81.21
LEW	10/21/2004 06:00:14 PM	ITS1021			ITS Withdrawal	(\$1.00)		\$80.21
LEW	10/24/2004 09:08:01 PM	ITS1024			ITS Withdrawal	(\$6.00)		\$74.21
LEW	10/25/2004 02:49:56 PM	1378		568092	Local Collections	\$40.00		\$114.21
LEW	10/25/2004 06:51:39 PM	84			Sales	(\$65.70)		\$48.51
LEW	10/25/2004 08:55:10 PM	ITS1025			ITS Withdrawal	(\$4.00)		\$44.51
LEW	11/01/2004 05:30:19 PM	32			Sales	(\$20.00)		\$24.51
LEW	11/02/2004 08:50:49 AM	5JV003			Payroll - IPP	\$10.03		\$34.54
LEW	11/02/2004 08:50:49 AM	5JV003			Payroll - IPP	\$5.25		\$39.79
LEW	11/02/2004 09:40:38 PM	ITS1102			ITS Withdrawal	(\$9.00)		\$30.79
LEW	11/02/2004 09:40:38 PM	ITS1105			ITS Withdrawal	(\$10.00)		\$20.79
LEW	11/05/2004 06:17:12 PM	ITS1109			ITS Withdrawal	(\$5.00)		\$15.79
LEW	11/09/2004 08:58:47 PM	ITS1112			ITS Withdrawal	(\$10.00)		\$5.79
LEW	11/12/2004 09:17:18 PM	ITS1115			ITS Withdrawal	(\$5.00)		\$0.79
LEW	11/25/2004 05:19:37 AM	70120805			Lockbox - CD	\$25.00		\$25.79

Date: 05/20/2005
Time: 1:01:56 pm

Federal Bureau of Prisons

Facility: LEW

TRUFACS
Inmate Statement
Limited Official Use

General Information

Inmate Reg#:	80362011	Living Quarters:	102-211L
Inmate Name:	KITANO, ALEXANDER BLANCO	Arrived From:	
Current Site Name:	Lewisburg USP	Transferred To:	
Housing Unit:	UNIT 3	Account Creation Date:	3/15/2002

Transaction Details

Alpha Code	Date Time	Reference#	Payment#	Receipt#	Transaction Type	Transaction Amount	Encumbrance Amount	Ending Balance
LEW	11/27/2004 08:40:23 PM	ITS1127			ITS Withdrawal	(\$6.00)		\$19.79
LEW	12/02/2004 08:55:17 AM	5JV014			Payroll - IPP	\$5.25		\$25.04
LEW	12/02/2004 03:27:18 PM		607		Donation	(\$10.00)		\$15.04
LEW	12/05/2004 08:26:58 PM	ITS1205			ITS Withdrawal	(\$5.00)		\$10.04
LEW	12/10/2004 04:58:49 PM	ITS1210			ITS Withdrawal	(\$5.00)		\$5.04
LEW	12/21/2004 04:41:59 PM	44			Sales	(\$2.00)		\$3.04
LEW	12/23/2004 07:43:23 PM	ITS1223			ITS Withdrawal	(\$3.00)		\$0.04
LEW	01/03/2005 10:23:57 AM	5JV026			Payroll - IPP	\$21.60		\$21.64
LEW	01/03/2005 05:12:44 PM	ITS0103			ITS Withdrawal	(\$3.00)		\$18.64
LEW	01/04/2005 05:08:47 PM	49			Sales	(\$7.90)		\$10.74
LEW	01/04/2005 05:26:45 PM	ITS0104			ITS Withdrawal	(\$5.00)		\$5.74
LEW	01/10/2005 09:40:04 AM	70123903			Lockbox - CD	\$40.00		\$45.74
LEW	01/10/2005 05:31:40 PM	ITS0110			ITS Withdrawal	(\$2.00)		\$43.74
LEW	01/11/2005 08:06:07 PM	ITS0111			ITS Withdrawal	(\$5.00)		\$38.74
LEW	01/11/2005 09:18:09 PM	ITS0111			ITS Withdrawal	(\$3.00)		\$35.74
LEW	01/13/2005 07:17:59 PM	ITS0113			ITS Withdrawal	(\$6.00)		\$29.74
LEW	01/15/2005 06:18:10 PM	ITS0115			ITS Withdrawal	(\$6.00)		\$23.74
LEW	01/16/2005 09:13:05 PM	ITS0116			ITS Withdrawal	(\$3.00)		\$20.74
LEW	01/18/2005 09:08:31 PM	ITS0118			ITS Withdrawal	(\$2.00)		\$18.74
LEW	01/19/2005 05:37:49 PM	ITS0119			ITS Withdrawal	(\$5.00)		\$13.74
LEW	01/19/2005 09:10:11 PM	ITS0119			ITS Withdrawal	(\$3.00)		\$10.74
LEW	01/22/2005 03:01:59 PM	ITS0122			ITS Withdrawal	(\$6.00)		\$4.74
LEW	01/26/2005 05:05:53 PM	ITS0126			ITS Withdrawal	(\$4.00)		\$0.74
LEW	02/02/2005 08:19:58 AM	5JV040			Payroll - IPP	\$22.32		\$23.06
LEW	02/05/2005 08:52:19 PM	ITS0205			ITS Withdrawal	(\$1.00)		\$22.06
LEW	02/06/2005 08:47:39 PM	ITS0206			ITS Withdrawal	(\$3.00)		\$19.06
LEW	02/06/2005 09:31:50 PM	ITS0206			ITS Withdrawal	(\$2.00)		\$17.06
LEW	02/08/2005 06:27:13 PM	64			Sales	(\$5.00)		\$12.06
LEW	02/08/2005 06:33:59 PM	ITS0208			ITS Withdrawal	(\$1.00)		\$11.06
LEW	02/08/2005 09:52:41 PM	ITS0208			ITS Withdrawal	(\$3.00)		\$8.06

Date: 05/20/2005
Time: 1:01:56 pm

Federal Bureau of Prisons

Facility: LEW

TRUFACS
Inmate Statement
Limited Official Use

General Information

Inmate Reg#:	80362011	Living Quarters:	I02-211L
Inmate Name:	KITANO, ALEXANDER BLANCO	Arrived From:	
Current Site Name:	Lewisburg USP	Transferred To:	
Housing Unit:	UNIT 3	Account Creation Date:	3/15/2002

Transaction Details

Alpha Code	Date Time	Reference#	Payment#	Receipt#	Transaction Type	Transaction Amount	Encumbrance Amount	Ending Balance
LEW	02/10/2005 06:01:00 PM	ITS0210			ITS Withdrawal	(\$3.00)		\$5.06
LEW	02/21/2005 05:15:34 PM	ITS0221			ITS Withdrawal	(\$5.00)		\$0.06
LEW	03/02/2005 09:20:36 AM	5JV044			Payroll - IPP	\$22.32		\$22.38
LEW	03/02/2005 04:58:51 PM	ITS0302			ITS Withdrawal	(\$2.00)		\$20.38
LEW	03/08/2005 06:48:00 PM	ITS0308			ITS Withdrawal	(\$6.00)		\$14.38
LEW	03/11/2005 10:04:15 AM		1576		Donation	(\$7.00)		\$7.38
LEW	03/17/2005 08:55:56 PM	ITS0317			ITS Withdrawal	(\$4.00)		\$3.38
LEW	03/22/2005 09:32:42 PM	ITS0322			ITS Withdrawal	(\$3.00)		\$0.38
LEW	04/04/2005 09:38:55 AM	5JV052			Payroll - IPP	\$20.16		\$20.54
LEW	04/04/2005 07:24:38 PM	84			Sales	(\$12.95)		\$7.59
LEW	04/05/2005 06:15:56 AM	70129801			Lockbox - CD	\$50.00		\$57.59
LEW	04/05/2005 05:25:58 PM	ITS0405			ITS Withdrawal	(\$6.00)		\$51.59
LEW	04/16/2005 07:17:38 AM	ITS0416			ITS Withdrawal	(\$3.00)		\$48.59
LEW	04/18/2005 04:48:23 PM	28			Sales	(\$29.45)		\$19.14
LEW	04/19/2005 08:53:59 PM	ITS0419			ITS Withdrawal	(\$4.00)		\$15.14
LEW	04/19/2005 09:42:50 PM	ITS0419			ITS Withdrawal	(\$3.00)		\$12.14
LEW	04/20/2005 07:38:21 PM	ITS0420			ITS Withdrawal	(\$2.00)		\$10.14
LEW	04/23/2005 03:15:40 PM	ITS0423			ITS Withdrawal	(\$4.00)		\$6.14
LEW	04/26/2005 09:16:57 PM	ITS0426			ITS Withdrawal	(\$6.00)		\$0.14
LEW	04/30/2005 05:40:45 AM	70131701			Lockbox - CD	\$100.00		\$100.14
LEW	04/30/2005 05:40:49 AM	70131701			Lockbox - CD	\$50.00		\$150.14
LEW	04/30/2005 08:35:37 PM	ITS0430			ITS Withdrawal	(\$6.00)		\$144.14
LEW	05/02/2005 11:31:35 AM	5JV061			Payroll - IPP	\$14.88		\$159.02
LEW	05/02/2005 05:02:05 PM	30			Sales	(\$61.70)		\$97.32
LEW	05/03/2005 09:04:55 AM		1944		Donation	(\$5.00)		\$92.32
LEW	05/03/2005 04:25:01 PM	4			Sales	(\$5.00)		\$87.32
LEW	05/04/2005 09:37:48 PM	ITS0504			ITS Withdrawal	(\$5.00)		\$82.32
LEW	05/08/2005 03:43:15 PM	ITS0508			ITS Withdrawal	(\$2.00)		\$80.32
LEW	05/09/2005 04:33:12 PM	6			Sales	(\$61.50)		\$18.82
LEW	05/11/2005 10:36:34 AM		2062		Donation	(\$10.00)		\$8.82

Date: 05/20/2005
Time: 1:01:56 pm

Federal Bureau of Prisons
TRUFACS
Inmate Statement
Limited Official Use

Facility: LEW

General Information

Inmate Reg#:	80362011	Living Quarters:	I02-211L
Inmate Name:	KITANO, ALEXANDER BLANCO	Arrived From:	
Current Site Name:	Lewisburg USP	Transferred To:	
Housing Unit:	UNIT 3	Account Creation Date:	3/15/2002

Transaction Details

Alpha Code	Date Time	Reference#	Payment#	Receipt#	Transaction Type	Transaction Amount	Encumbrance Amount	Ending Balance
LEW	05/11/2005 04:30:37 PM	ITS0511			ITS Withdrawal	(\$3.00)		\$5.82
Total Transactions:		82			Totals:	(\$280.19)	\$0.00	

Current Balances

Alpha Code	Available Balance	Pre-Release Balance	Debt Encumbrance	SPO Encumbrance	Other Encumbrance	Outstanding Instruments	Administrative Holds	Account Balance
LEW	\$5.82	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5.82
Totals:	\$5.82	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5.82